

1 [Administrative Code - Street-Level Drug Dealing Task Force]

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3 **Ordinance amending the Administrative Code to establish the Street-Level Drug**

4 **Dealing Task Force to advise the Board of Supervisors, the Mayor, and City**

5 **departments regarding policies to eliminate address harms related to street-level drug**

6 **dealing in the Tenderloin, Civic Center, Mid-Market, and South of Market**

7 **neighborhoods; and setting forth the membership and duties of the Task Force.**

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9 **NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.

10 **Additions to Codes** are in *single-underlined italics Times New Roman font*.

11 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.

12 **Board amendment additions** are in double-underlined Arial font.

13 **Board amendment deletions** are in ~~strikethrough Arial font~~.

14 **Asterisks (* * * *)** indicate the omission of unchanged Code

15 subsections or parts of tables.

16

17 Be it ordained by the People of the City and County of San Francisco:

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19 Section 1. The Administrative Code is hereby amended by adding Article XXII,

20 consisting of Sections 5.22-1 through 5.22-6, to Chapter 5, to read as follows:

21

22 **ARTICLE XXII: STREET-LEVEL DRUG DISTRIBUTION TASK FORCE**

23

24 **SEC. 5.22-1. CREATION OF TASK FORCE.**

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26 *The Board of Supervisors hereby establishes the Street-Level Drug Dealing Task Force (the*

27 *“Task Force” of the City and County of San Francisco.*

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29 **SEC. 5.22-2. MEMBERSHIP.**

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31 *The Task Force shall consist of the following 12 voting members.*

1 (a) Seats 1, 2, and 3 shall be held by persons with experience or expertise relevant to
2 multifaceted approaches to eliminating addressing harms related to street-level drug dealing, and
3 shall have a background in law enforcement, reentry, public health, harm reduction, community-based
4 accountability, and/or restorative justice, nominated by the District 6 Supervisor and appointed by
5 the Board of Supervisors.

6 (b) Seats 4, 5 and 6 shall be held by persons who are directly impacted by the harms
7 related to street-level drug dealing, including and who are persons at-risk for experiencing crime,
8 formerly incarcerated people or their family members, individuals with past experiences of substance
9 addiction, and/or members of other vulnerable communities, nominated by the District 6 Supervisor
10 and appointed by the Board of Supervisors.

11 (c) Seat 7 shall be held by a person with experience or expertise relevant to street-level
12 drug dealing, including people with experience as or with former street-level drug distributors,
13 economics of street-level drug distribution, and/or local drug distribution practices, nominated by the
14 District 6 Supervisor and appointed by the Board of Supervisors.

15 (d) Seats 8 and 9 shall be held by persons who are directly impacted by the harms related
16 to street-level drug dealing in the neighborhoods of the Tenderloin, Mid-Market, South of Market,
17 and/or Civic Center, including and who are residents, or small business owners in those
18 neighborhoods, nominated by the District 6 Supervisor and appointed by the Board of
19 Supervisors.

20 (e) Seat 10 shall be held by an employee of the San Francisco Police Department who shall
21 assist in providing data and statistics to the Task Force, appointed by the Chief of Police.

22 (f) Seat 11 shall be held by an employee of the Public Defender's Office, appointed by the
23 Public Defender.

24 (g) Seat 12 shall be held by an employee of the District Attorney's Office, appointed by the
25 District Attorney.

1 *Seats 1, 2, 4, 5, 7, 8 and 9 shall not be held by employees of the City and County of San*
2 *Francisco. Seats 3 and 6 may but need not be held by employees of the City.*

3 *In making appointments to the Task Force, the appointing authorities shall give preference to*
4 *residents of the Tenderloin, Civic Center, Mid-Market, and South of Market neighborhoods.*

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6 **SEC. 5.22-3. ORGANIZATION AND TERMS OF OFFICE.**

7 (a) *Members of the Task Force shall serve at the pleasure of their respective appointing*
8 *authorities and may be removed by the member's appointing authority at any time. Each member may*
9 *remain on the Task Force until the termination of the Task Force under Section 5.22-6, unless removed*
10 *by the member's appointing authority. A seat that is vacant on the Task Force shall be filled by the*
11 *appointing authority for that seat as provided in Section 5.22-2.*

12 (b) *Members of the Task Force shall receive no compensation from the City, except*
13 *that †The Task Force members in Seats 10, 11, and 12 may receive their regular City salaries for time*
14 *spent on the Task Force, and if members in Seats 3 and 6 are City employees, they also may receive*
15 *their regular City salaries for time spent on the Task Force. The Office of Economic and*
16 *Workforce Development may provide a meeting stipend of up to \$50 per meeting to other*
17 *members of the Task Force if that Office has sufficient funds appropriated in its budget and*
18 *the director of the Office determines that such a stipend would advance the mission of the*
19 *Task Force.*

20 (c) *Any member who misses three regular meetings of the Task Force within a six-month*
21 *period without the express approval of the Task Force at or before each missed meeting shall be*
22 *deemed to have resigned from the Task Force 10 days after the third unapproved absence. The Task*
23 *Force shall inform the appointing authority and the Clerk of the Board of Supervisors of any such*
24 *resignation.*

1 (d) The Office of Economic and Workforce Development shall provide administrative and
2 clerical support for the Task Force. All City officials and agencies shall cooperate with the Task Force
3 in the performance of its functions.

4

5 **SEC. 5.22-4. POWERS AND DUTIES.**

6 (a) The Task Force shall identify and assess the nature and magnitude of harms related to
7 associated with street-level drug distribution, including the costs and benefits of criminalization and
8 its alternatives, and shall evaluate options for effectively addressing negative impacts of street-level
9 drug distribution in the Tenderloin, South of Market, Civic Center, and Mid-Market neighborhoods.
10 The Task Force shall make public recommendations to the Board of Supervisors, the Mayor, and
11 appropriate City departments, commissions, boards, and agencies regarding:

12 (1) Strategies, Programs and policies focused on addressing combatting and
13 eliminating street-level drug dealing in the Tenderloin, Civic Center, Mid-Market, and South of Market
14 neighborhoods;

15 (2) Safety, crime prevention, recidivism, outreach programs, and alternatives to
16 incarceration in those neighborhoods; and

17 (3) The development of a Citywide, coordinated evidence-based strategy to combat
18 address and reduce street-level drug dealing.

19 (b) Beginning March 31, 2020 and every six three months thereafter, the Task Force shall
20 submit to the Board of Supervisors and the Mayor a report summarizing data regarding harms related
21 to street-level drug dealing in the Tenderloin, Civic Center, Mid-Market, and South of Market
22 neighborhoods, and making recommendations regarding policies, funding levels and sources,
23 enforcement strategies, and other pertinent matters, with the goal of addressing harms related to
24 combatting and eliminating street-level drug dealing in those neighborhoods.

1 (c) In collaboration with City departments and taking into account community input at
2 public meetings, the Task Force shall prepare and submit to the Board of Supervisors and the Mayor
3 by December 2, 2020, a Vision Zero Plan for the Tenderloin, Civic Center, Mid-Market, and South of
4 Market neighborhoods. The Plan shall include a comprehensive review of the City's policies,
5 procedures, and practices that involve harms related to street-level drug dealing, and
6 recommendations on options to eliminate address the prevalence of harms related to street-level
7 drug dealing in the Tenderloin, Civic Center, Mid-Market, and South of Market neighborhoods.

8 (d) In conducting the assessments and making the recommendations required under this
9 Section 5.22-4, the Task Force shall consider best practices and approaches from other jurisdictions.
10 The Task Force shall also consider the perspectives of those most deeply affected by the harms
11 associated with street-level drug dealing. In soliciting these perspectives, the Task Force
12 should recognize that many people within the neighborhood, residents (including housed and
13 unhoused residents), business owners, youth, families, seniors, pedestrians, commuters, service
14 providers, and service consumers, interact with people who use and deal drugs. In making its
15 recommendations, the Task Force shall consider strategies beyond street level enforcement,
22 including intelligence-led and high-visibility policing. The Task Force shall seek to recommend
17 achievable, systems-level, trauma-informed, data- and evidence-based policy and administrative
18 solutions through a racial and economic equity lens that will have a short-term and long-term impact
19 on the community.

20 (e) To assist the Task Force, all City departments, including but not limited to the
21 Police Department, District Attorney, Public Defender, Sheriff, and Department of Public
22 Health, shall provide data and statistics upon request from the Task Force, to the extent
23 permitted under federal, state and local law. The Task Force may request, and the
24 departments shall provide the following types of information:

25 (1) Historical data and law enforcement strategies, and outcomes;

1 (2) Calls for police, fire or medical services, and outcomes;
2 (3) Calls for 311 service connection, and outcomes;
3 (4) Measures of community strengths including commercial activity and civic
4 engagement;
5 (5) Measures of community well-being, including essential needs, services
6 and cleanliness; and
7 (6) Community safety measures as determined by the Controller's Office.
8 For each quarterly report, if the Board of Supervisors or a committee of the Board does
9 not schedule a hearing regarding the report within 30 days of its receipt, the Office of
10 Economic and Workforce Development shall schedule a special meeting of the Task Force to
11 receive additional public input and feedback.

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13 **SEC. 5.22-5. MEETINGS AND PROCEDURES.**

14 (a) The Task Force shall hold its inaugural meeting not more than 90 days after the
15 effective date of the ordinance in Board File No. enacting this Article XXII. There shall be at
16 least 10 days' notice of the inaugural meeting. Following the inaugural meeting, the Task Force shall
17 hold a regular meeting not less than once each month until the sunset date set forth in Section 5.22-6.
18 (b) The Task Force shall elect its officers and may establish bylaws and rules for its
19 organization and procedures.

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21 **SEC. 5.22-6. SUNSET.**

22 Unless the Board of Supervisors by ordinance extends the term of the Task Force, this Article
23 XXII shall expire by operation of law, and the Task Force shall terminate, three years after the effective
24 date of the ordinance in Board File No. enacting this Article. After that date, the City Attorney
25 shall cause this Article XXII to be removed from the Administrative Code.

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2 Section 2. Effective Date. This ordinance shall become effective 30 days after
3 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
4 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
5 of Supervisors overrides the Mayor's veto of the ordinance.

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7 APPROVED AS TO FORM:
8 DENNIS J. HERRERA, City Attorney

9 By: _____
10 JON GIVNER
11 Deputy City Attorney

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